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March 22, 2024

**VIA ECF**

The Honorable Cheryl L. Pollak  
U.S. District Court, Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

**Re: *Marty-Hernandez v. Smile New York Outreach, LLC et al***  
**Case No.: 1:23-cv-4637**

Dear Judge Pollak:

We represent Defendant Big Smiles Dental New York, PLLC (“Big Smiles”) in the above-referenced matter. This letter is submitted jointly with counsel for Plaintiff Naisha Marty-Hernandez (the “Plaintiff”) and counsel for Defendants Smile New York Outreach LLC (“Smile New York”), Erik Lazar (“Dr. Lazar”), and Dynamic HR Services LLC (“Dynamic HR,” and collectively with Big Smiles, the “Defendants”).

Pursuant to the Court’s Electronic Order dated March 11, 2024, the parties submit the following fact discovery schedule and conditional certification briefing schedule:

1. Deadline to propound discovery requests – **June 3, 2024.**
2. Deposition completion deadline – **October 31, 2024.**
3. Global fact discovery completion deadline – **October 31, 2024.**
4. Plaintiff’s deadline to file a motion for conditional certification of a collective action (the “Motion for Conditional Certification”) – **August 1, 2024.**
5. Defendants’ deadline to file opposition to Plaintiff’s Motion for Conditional Certification – **September 3, 2024.**

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6. Plaintiff's deadline to file a reply to Motion for Conditional Certification – **September 18, 2024.**

7. A deadline to complete mediation on or before – **May 24, 2024.**

We thank the Court for its attention to this matter, and are available at the Court's convenience to answer any questions related to the foregoing.

Respectfully,

OGLETREE, DEAKINS, NASH,  
SMOAK & STEWART

*/s/ Simone R. D. Francis*

Simone R. D. Francis  
Sarah M. Zucco